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MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-1-

THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 7, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Joel Coleman

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Jim Welch, Finance Director
Nicole Cottle, CED Director
Kevin Astill, Parks and Recreation Director
Buzz Nielsen, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Chris Curtis, Acting Community Preservation Director
Claire Gilmoor, Acting City Attorney
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14603

OPENING CEREMONY

The Opening Ceremony was conducted by Dennis Nordfelt who commented regarding a newspaper article which included comments from General Colin Powell regarding “what’s great about America.” He also led the Pledge of Allegiance to the Flag.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-2-

14604 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 16, 2009**

The Council read and considered the Minutes of the Regular Meeting held June 16, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held June 16, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14605 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 23, 2009**

The Council read and considered the Minutes of the Regular Meeting held June 23, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held June 23 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-3-

14606 **SCOUTS**

Mayor Nordfelt welcomed Scout Troop No. 440 in attendance to complete requirements for the Communications merit badge.

14607 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individual addressed the City Council during the comment period:

Robert Peglau, 4331 South 4800 West, addressed the City Council. Mr. Peglau discussed HB 337 and HB280 which specified how golf carts could be driven on roadways at 25 mph or less with a permit. He stated West Valley City had no procedure for issuing permits and he desired to have the Council address this issue.

14608 **PUBLIC HEARING, RECEIVE INPUT FROM THE PUBLIC REGARDING THE ISSUANCE AND SALE OF NOT MORE THAN \$15,000,000 AGGREGATE PRINCIPAL AMOUNT OF FRANCHISE TAX REVENUE REFUNDING BONDS, SERIES 2009 OF WEST VALLEY CITY, UTAH, FOR THE PURPOSE OF REFUNDING THE MUNICIPAL BUILDING AUTHORITY OF THE CITY OF WEST VALLEY LEASE REVENUE BONDS, SERIES 1998**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding the issuance and sale of not more than \$15,000,000 aggregate principal amount of Franchise Tax Revenue Refunding Bonds, Series 2009 of West Valley City, Utah, for the purpose of refunding the Municipal Building Authority Lease Revenue Bonds, Series 1998.

Mr. Pyle advised a public hearing was required, however, no action needed to be taken at this time.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

14609 **RESOLUTION NO. 09-251, APPROVE AN AGREEMENT WITH HORROCKS ENGINEERING, INC. TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE 7200 WEST WIDENING PROJECT FROM APPROXIMATELY SR 201 TO 3500 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-251 which would approve an Agreement with Horrocks Engineering, Inc., in the amount of

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-4-

\$450,000.00, to provide engineering design services for the 7200 West Widening Project from approximately SR201 to 3500 South.

Mr. Pyle stated as part of House Bill 242, from the 2008 State Legislative session, West Valley City had been given \$2,000,000 for construction of a roadway project on 7200 West. He further stated the street was the western boundary between West Valley City and Salt Lake County. He indicated Horrocks Engineering would design a roadway widening project on both sides of the street from SR201 to 3500 South. He advised the City would soon enter into an interlocal agreement with the County for design of that roadway. He advised the subject agreement would allow Salt Lake County to reimburse West Valley City 50% of the design costs. He stated that during construction the costs would be paid by West Valley City and Salt Lake County proportionately to the amount of work completed on each side of the road.

After discussion, Councilmember Brooks moved to approve Resolution No. 09-251, a Resolution Authorizing the Execution of an Agreement between West Valley City and Horrocks Engineering, Inc. to Provide Engineering Design Services to West Valley City for the 7200 West Widening Project from Approximately SR201 to 3500 South. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14610

CONSENT AGENDA:

- A. **RESOLUTION NO. 09-252, RATIFY THE CITY MANAGER'S APPOINTMENT OF WILLIAM OLPIN TO THE STORM WATER ADVISORY BOARD, TERM: JULY 1, 2009 – JUNE 30, 2011**
City Manager, Wayne Pyle, presented proposed Resolution No. 09-252 which would ratify his appointment of William Olpin to the Storm Water Advisory Board for the term July 1, 2009, through June 30, 2011.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-5-

B. RESOLUTION NO. 09-253, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NEXHAT COLLAKU FOR PROPERTY LOCATED AT 4030 S. ACORD WAY FOR THE SUNNYVALE ACORD SIDEWALK PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-253 which would accept a Grant of Temporary Construction Easement from Nexhat Collaku for property located at 4030 S. Acord Way for the Sunnyvale Acord Sidewalk Project.

Mr. Pyle stated Nexhat Collaku had signed the Grant of Temporary Construction Easement.

The City Manager indicated the subject parcel was one of the properties affected by construction of the Sunnyvale Acord Sidewalk Project. He stated the easement would allow the contractor to make the necessary tie-ins to the property. He also reported compensation for the easement would be in the amount of \$200.00, which easement would automatically expire on December 31, 2010.

C. RESOLUTION NO. 09-254, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR THE 5200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-254 which would accept a Grant of Temporary Construction Easement from the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints for the 5200 West Improvement Project.

Mr. Pyle stated the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel located at 3970 South 5200 West was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He stated the easement would allow the contractor to make the necessary tie-ins to the property. He further reported compensation for the easement would be in the amount of \$200.00 which easement would expire December 31, 2010. He explained the easement also constituted an agreement between the parties and outlined certain terms and conditions.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-6-

D. RESOLUTION NO. 09-255, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SHERRY LEE BROWN AND CORY W. RUSHTON, TRUSTEES UNDER THE PATRICIA RUSHTON IRREVOCABLE TRUST, DATED OCTOBER 19, 1992, FOR PROPERTY LOCATED AT 4015 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-255 which would accept a Grant of Temporary Construction Easement from Sherry Lee Brown and Cory W. Rushton, Trustees Under the Patricia Rushton Irrevocable Trust, Dated October 19, 1992, for property located at 4015 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Sherry Lee Brown and Cory W. Rushton, trustees, had signed separate Grant of Temporary Construction Easements.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make necessary tie-ins to the property. He stated compensation for the easement would be in the amount of \$200.00 which easement would automatically expire on December 31, 2010.

After discussion, Councilmember Winder moved to approve Resolution Nos. 09-252, 09-253, 09-254 and 09-255, as presented on the Consent Agenda. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JULY 7, 2009, WAS ADJOURNED AT 6:47 P.M., BY MAYOR NORDFELT.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – JULY 7, 2009

-7-

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, July 7, 2009.

Sheri McKendrick, MMC
City Recorder

DRAFT